

CHAPTER XI

STEAMBOAT-INSPECTION SERVICE

The Steamboat-Inspection Service had its beginning in the act of Congress approved July 7, 1838, which provided for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam. Under this act the United States district judges appointed inspectors of hulls and boilers in their respective districts, and the Treasury Department had supervision of the service. On March 3, 1843, an act was approved relating to the equipment of steam vessels, and an act approved March 3, 1849, related to signal lights used on vessels navigating western and northern lakes.

The Service was reorganized by section 5 of the act of Congress approved August 30, 1852, and since that date the work has been prosecuted, with but few innovations, on the plans then adopted. Nine supervising inspectors were appointed by the President, with the advice and consent of the Senate, and local inspectors were provided.

A resolution of Congress relating to the duties of inspectors was approved March 3, 1853. The carrying of passengers was regulated by act of Congress approved March 3, 1855. The act approved June 8, 1864, related to the appointment of additional inspectors of steam vessels. The act approved July 4, 1864, further regulated the carriage of passengers in steamships and other vessels. The act approved March 3, 1865, provided for additional inspectors, and the act approved July 25, 1866, provided further for the safety of the lives of passengers.

By act of Congress approved February 28, 1871, the promotion of security of *life* was extended to vessels propelled in whole or in part by steam, thereby giving the officers and crews of such vessels the lawful protection that formerly extended only to passengers. This act has been merged in Title 52 of the Revised Statutes, and is substantially the law now in force relating to steamboats.

Acts approved April 7, 1882, June 19, 1886, March 1, 1895, and February 15, 1897, related generally to compensation of inspectors, mileage, collection of fees, and changes in number of districts. Section 4405, Revised Statutes, provides for the assembling of the supervising inspectors and the Supervising Inspector-General, as a board,

in the city of Washington on the third Wednesday in January of each year, to establish necessary regulations; and that such regulations, when approved by the Secretary of Commerce and Labor, shall have the force of law.

For the purpose of administering the pilot rules the waters of the United States are divided into three parts, and separate rules are made for each. These three divisions are (1) Atlantic and Pacific coast inland waters, (2) the Great Lakes and their connecting and tributary waters as far east as Montreal, (3) rivers whose waters flow into the Gulf of Mexico, and their tributaries, and the Red River of the North. The rules above referred to, and also the international rules of the road, are given on page 319 et seq.

The supervision of the Steamboat-Inspection Service was transferred to the Secretary of Commerce and Labor on July 1, 1903, by act of Congress approved February 14, 1903 (An act to establish the Department of Commerce and Labor).

Supervising Inspector-Generals with dates of service.

Name.	From—	To—
Joseph Belknap.....	June 11, 1871	June 20, 1872
Joseph Nimmo, jr.....	June 20, 1872	Mar. 4, 1873
David D. Smith.....	Mar. 4, 1873	Sept. 1, 1874
William Burnett.....	Sept. 1, 1874	Nov. 22, 1876
James A. Dumont.....	Nov. 22, 1876	Mar. 31, 1903
George Uhler.....	Apr. 1, 1903

LAW PERTAINING TO THE STEAMBOAT-INSPECTION SERVICE

[As modified by act of February 14, 1903.]

Every vessel propelled in whole or in part by steam shall be deemed a steam vessel within the meaning of this Title. [R. S., 4399-4500.]

What are steam vessels.
R. S., 4399.

All steam vessels navigating any waters of the United States which are common highways of commerce, or open to general or competitive navigation, excepting public vessels of the United States, vessels of other countries, and boats propelled in whole or in part by steam for navigating canals, shall be subject to the provisions of this Title. [R. S., 4399-4500.]^a

What vessels subject to the provisions of this title.
R. S., 4400.

And all foreign private steam vessels carrying passengers from any port of the United States to any other place or country shall be subject to the provisions of sections forty-four hundred and seventeen, forty-four hundred and eighteen, forty-four hundred and twenty-one, forty-four hundred and twenty-two, forty-four hundred and twenty-three, forty-four hundred and twenty-four, forty-four hundred and seventy, forty-four hundred and seventy-one, forty-four hundred and seventy-two, forty-

Provisions and requirements as to foreign passenger steam vessels.

Aug. 7, 1882.
(22 Stat., 516.)
Amended Mar. 1, 1895.
(28 Stat., 699.)

^a For enrollment of steam vessel, see page 160.

Feb. 15, 1902.
(32 Stat., §4.)

four hundred and seventy-three, forty-four hundred and seventy-nine, forty-four hundred and eighty-two, forty-four hundred and eighty-eight, forty-four hundred and eighty-nine, forty-four hundred and ninety-six, forty-four hundred and ninety-seven, forty-four hundred and ninety-nine, and forty-five hundred of this Title, and shall be liable to visitation and inspection by the proper officer, in any of the ports of the United States, respecting any of the provisions of the sections aforesaid: *Provided, however*, That when such foreign passenger steamers belong to countries having inspection laws approximating those of the United States, and have unexpired certificates of inspection issued by the proper authorities in the respective countries to which they belong, they shall be subject to no other inspection than necessary to satisfy the local inspectors that the condition of the vessel, her boilers, and life-saving equipments are as stated in the current certificate of inspection; but no such certificate of inspection shall be accepted as evidence of lawful inspection except when presented by steam vessels of other countries which have by their laws accorded to the steam vessels of the United States visiting such countries the same privilege accorded herein to the steam vessels of such countries visiting the United States; it being further provided that there shall be collected and paid into the Treasury of the United States the same fees for the inspection of foreign passenger steamers carrying passengers from the United States that any foreign nation shall charge the merchant vessels of the United States trading to the ports of such nationality; it being further provided that the Secretary of Commerce and Labor shall have the power to waive at any time the collection of such fees upon due notice of the proper authorities of any country concerned that the collection of fees for the inspection of American steam merchant vessels has been discontinued.^a

Vessels navigating coastwise and on the Great Lakes.
R. S., 4401.

All coastwise sea-going vessels, and vessels navigating the great lakes, shall be subject to the navigation laws of the United States, when navigating within the jurisdiction thereof; and all vessels, propelled in whole or in part by steam, and navigating as aforesaid, shall be subject to all the rules and regulations established in pursuance of law for the government of steam-vessels in passing, as provided by this Title; and every coastwise sea-going steam-vessel subject to the navigation laws of the United States, and to the rules and regulations aforesaid, not sailing under register, shall, when under way, except on the high seas, be under the control and direction of pilots licensed by the inspectors of steamboats.^b

^aThe original proviso and sections 2 to 6, inclusive, of amendment to section 4400 were repealed by act of Congress approved March 1, 1895.

^bModified by rules to prevent collisions, act of August 19, 1890, page 325.

There shall be a supervising inspector-general, who shall be appointed from time to time by the President, by and with the advice and consent of the Senate, and who shall be selected with reference to his fitness and ability to systematize and carry into effect all the provisions of law relating to the steamboat-inspection service, and who shall be entitled to a salary of three thousand five hundred dollars a year, and his reasonable traveling expenses, or mileage at the rate of five cents a mile, incurred in the performance of his duties.^a

Supervising In-
spector-General.
R. S., 4402.

The supervising inspector-general shall, under the direction of the Secretary of Commerce and Labor, superintend the administration of the steamboat-inspection laws, preside at the meetings of the board of supervising inspectors, receive all reports of inspectors, receive and examine all accounts of inspectors, report fully at stated periods to the Secretary of Commerce and Labor upon all matters pertaining to his official duties, and produce a correct and uniform administration of the inspection laws, rules, and regulations.

Duties.
R. S., 4403.

There shall be ten supervising inspectors, who shall be appointed by the President, by and with the advice and consent of the Senate. Each of them shall be selected for his knowledge, skill, and practical experience in the uses of steam for navigation, and shall be a competent judge of the character and qualities of steam-vessels, and of all parts of the machinery employed in steaming. Each supervising inspector shall be entitled to a salary of three thousand dollars a year, and his actual and reasonable traveling expenses, or mileage, at the rate of five cents a mile, incurred in the performance of his duties,^a together with his actual and reasonable expenses for transportation of instruments, which shall be certified and sworn to under such instructions as may be given by the Secretary of Commerce and Labor.

Supervising in-
spectors.
R. S., 4404.

The supervising inspectors and the supervising inspector-general shall assemble as a board once in each year, at the city of Washington, District of Columbia, on the third Wednesday in January, and at such other times as the Secretary of Commerce and Labor shall prescribe, for joint consultation, and shall assign to each of the supervising inspectors the limits of territory within which he shall perform his duties. The board shall establish all necessary regulations required to carry out in the most effective manner the provisions of this Title, and such regulations, when approved by the Secretary of Commerce and Labor, shall have the force of law. The supervising inspector for the district embracing the Pacific coast shall not be under obligation to attend the meetings of the board oftener than once in two years; but when he does not attend such meetings he shall make his communications thereto, in the way of a report, in such manner as the board shall prescribe.

Meeting and
assignment of
districts.
R. S., 4405.

^aAs amended by acts of March 1, 1895, and February 15, 1897. See section 4414.

Duties of supervising inspectors.
R. S., 4406.

Each supervising inspector shall watch over all parts of the territory assigned to him, shall visit, confer with, and examine into the doings of the local boards of inspectors within his district, and shall instruct them in the proper performance of their duties; and shall, whenever he thinks it expedient, visit any vessels licensed, and examine into their condition, for the purpose of ascertaining whether the provisions of this Title have been observed and complied with, both by the board of inspectors and the masters and owners. All masters, engineers, mates, and pilots of such vessels shall answer all reasonable inquiries, and shall give all the information in their power in regard to any such vessel so visited, and her machinery for steaming, and the manner of managing both.

To report violations of law.
R. S., 4407.

Whenever a supervising inspector ascertains to his satisfaction that any master, mate, engineer, pilot, or owner of any steam-vessel fails to perform his duties according to the provisions of this Title, he shall report the facts in writing to the board of local inspectors in the district where the vessel was inspected or belongs; and, if need be, he shall cause the negligent or offending party to be prosecuted; and if the supervising inspector has good reason to believe there has been, through negligence or any other cause, a failure of the board which inspected the vessel to do its duty, he shall report the facts in writing to the Secretary of Commerce and Labor; who shall cause immediate investigation into the truth of the complaint, and, if he deems the cause sufficient, shall remove any officer found delinquent.

Supervision of local boards.
R. S., 4408.

The supervising inspectors shall see that the several boards of local inspectors within their respective districts execute their duties faithfully, promptly, and, as far as possible, uniformly in all places, by following out the provisions of this Title according to the true intent and meaning thereof; and they shall, as far as practicable, harmonize differences of opinion existing in different local boards.

Districts not having inspectors.
R. S., 4409.

The supervising inspector shall visit any collection district in which there is at any time no board of inspectors, and within which steam-vessels are owned or employed. Each supervising inspector shall have full power in any such district, or in any district where, from distance or other cause, it is inconvenient to resort to the local board, to inspect any steam-vessel and the boilers of such steamer, and to grant certificates of approval, and to do and perform all the duties imposed upon local boards.

Annual reports of supervising inspectors.
R. S., 4410.

Each supervising inspector shall report, in writing, at the annual meetings of the board, the general business transacted in his district during the year, embracing all violations of the laws regulating steam-vessels, and the action taken in relation to the same, all investigations and decisions by local inspectors, and all cases of appeal, and the result thereof; and the board shall examine into all the acts of each supervising inspector and local

board, and all complaints made against the same, in relation to the performance of their duties under the law, and the judgment of the board in each case shall be entered upon their journal; and the board shall, as far as possible, correct mistakes where they exist.

The board of supervising inspectors shall establish such regulations as may be necessary to make known in a proper manner, to local inspectors, the names of all persons licensed under the provisions of this Title, the names of all persons from whom licenses have been withheld, and the names of all whose licenses have been suspended or revoked; also the names of all steam-vessels neglecting or refusing to make such repairs as may be ordered pursuant to law, and the names of all that have been refused certificates of inspection.

Regulations as to furnishing information to local inspectors.
R. S., 4411.

^a The board of supervising inspectors shall establish such regulations to be observed by all steam-vessels in passing each other, as they shall from time to time deem necessary for safety; two printed copies of such regulations, signed by them, shall be furnished to each of such vessels, and shall at all times be kept posted up in conspicuous places in such vessels.

Regulations as to steamers passing.
R. S., 4412.

^b Every pilot, engineer, mate, or master of any steam-vessel who neglects or willfully refuses to observe the regulations established in pursuance of the preceding section, shall be liable to a penalty of fifty dollars, and for all damages sustained by any passenger, in his person or baggage, by such neglect or refusal.

Penalty for violation of regulations.
R. S., 4413.

There shall be, in each of the following collection districts, one inspector of hulls and one inspector of boilers, namely: The districts of New York, New York; Boston, Massachusetts; Philadelphia, Pennsylvania; San Francisco, California; Albany, New York; New London, Connecticut; Baltimore, Maryland; Buffalo, New York; Cleveland, Ohio; New Orleans, Louisiana; Norfolk, Virginia; Saint Louis, Missouri; Dubuque, Iowa; Detroit, Michigan; Chicago, Illinois; Jacksonville, Florida; Bangor, Maine; New Haven, Connecticut; Michigan, Michigan; Milwaukee, Wisconsin; Port Huron, Michigan; Willamette, Oregon; Portland, Maine; Puget Sound, Washing-

Number and salaries of local inspectors.
R. S., 4414.
Mar. 1, 1895.
(28 Stat., 699.)

Mar. 2, 1895.
(28 Stat., 843.)

^a Section 4412 is limited by section 5 of the act of June 7, 1897, to the Red River of the North and rivers emptying into the Gulf of Mexico, and their tributaries; and superseded by section 2 of said act, applying to the inland waters of the Atlantic and Pacific coasts; and superseded by section 3 of the act of February 8, 1895, applying to the Great Lakes and their connecting and tributary waters as far east as Montreal. See rules to prevent collisions, page 324 et seq. Additional duties of board of supervising inspectors regarding rules of road are given on pages 339, 342, 348, 349, 352, 355, and 357.

^b Section 4413 is limited by section 5 of the act of June 7, 1897, (page 353) to the Red River of the North and rivers emptying into the Gulf of Mexico and their tributaries, and the Great Lakes and their connecting and tributary waters as far east as Montreal; and superseded by section 3 of said act (page 335), applying to the inland waters of the Atlantic and Pacific coasts.

Salaries of inspectors.

June 2, 1900.
(31 Stat., 262.)
Apr. 21, 1898.
(30 Stat., 360.)

Mar. 1, 1895.
(28 Stat., 699.)
Sec. 2.

ton; Savannah, Georgia; Pittsburg, Pennsylvania; Oswego, New York; Charleston, South Carolina; Duluth, Minnesota; Louisville, Kentucky; Evansville, Indiana; Memphis, Tennessee; Nashville, Tennessee; Cincinnati, Ohio; Gallipolis, Ohio; Wheeling, West Virginia; Superior, Michigan; Burlington, Vermont; Apalachicola, Florida; Galveston, Texas; Mobile, Alabama; Toledo, Ohio; Alaska; and Providence, Rhode Island.

The inspector of hulls and the inspector of boilers in the districts enumerated in the preceding paragraph shall be entitled to the following salaries, to be paid under the direction of the Secretary of Commerce and Labor, namely:

In districts inspecting one hundred steamers and less to a salary of one thousand two hundred dollars per year each.

In districts inspecting over one hundred and less than one hundred and fifty steamers, to a salary of one thousand five hundred dollars per year each.

In districts inspecting one hundred and fifty and less than two hundred steamers, to a salary of one thousand eight hundred dollars per year each.

In districts inspecting two hundred and less than three hundred steamers, to a salary of two thousand dollars per year each.

In districts inspecting three hundred and less than five hundred steamers, to a salary of two thousand two hundred and fifty dollars per year each.

In districts inspecting five hundred steamers and upward, to a salary of two thousand five hundred dollars per year each.

Number of inspectors.

The Supervising Inspector-General shall report to the Secretary of Commerce and Labor the number of inspections for the year next preceding the approval of this Act and thereafter, at the end of each fiscal year, the number of steamers inspected in each local district in that year, which number shall be the basis upon which shall be determined the salaries to be paid to local inspectors for the following fiscal year, in the ratio described in the preceding paragraphs of this section.

Assistant inspectors.

And, in addition, the Secretary of Commerce and Labor may appoint, upon the nomination of the supervising inspector of the district, in collection districts where there are two hundred and twenty-five steamers and upward to be inspected annually, assistant inspectors, at a salary, for the district of New York, of two thousand dollars a year each; for the district of New Orleans, Louisiana; Philadelphia, Pennsylvania; Baltimore, Maryland; Boston, Massachusetts; Chicago, Illinois; and San Francisco, California, at one thousand eight hundred dollars per year each; and for all other districts at a salary not exceeding one thousand six hundred dollars a year each; and he may appoint a clerk to any such board at a compensation not exceeding one thousand two hundred dollars a year to each

person so appointed. Every inspector provided for in this or the preceding sections of this title shall be paid his actual and reasonable traveling expenses or mileage, at the rate of five cents a mile, incurred in the performance of his duties, together with his actual and reasonable expenses for transportation of instruments, which shall be certified and sworn to under such instructions as shall be given by the Secretary of Commerce and Labor.

Mileage, etc.
Feb. 15, 1897.
(29 Stat., 530.)

* * * an inspector of hulls, shall [be] a person of good character and suitable qualifications and attainments to perform the services required of inspectors of hulls, and who, from his practical knowledge of shipbuilding and navigation and the uses of steam in navigation, is fully competent to make a reliable estimate of the strength, sea-worthiness, and other qualities of the hulls of steam-vessels and their equipment, deemed essential to safety of life in their navigation; and an inspector of boilers, shall [be] a person of good character and suitable qualifications and attainments to perform the services required of inspectors of boilers, who, from his knowledge and experience of the duties of an engineer employed in navigating vessels by steam, and also of the construction and use of boilers, and machinery, and appurtenances therewith connected, is able to form a reliable opinion of the strength, form, workmanship, and suitability of boilers and machinery to be employed without hazard to life, from imperfection in the material, workmanship, or arrangement of any part of such apparatus for steaming. No appointment of an inspector of hulls or an inspector of boilers shall be made without the concurrence of the supervising inspector. The inspector of hulls and the inspector of boilers thus designated, when approved by the Secretary of Commerce and Labor, shall, from the date of designation, constitute a board of local inspectors.

Qualifications
and appointment
of local inspectors.
R. S., 4415.

Local boards.

No person interested, either directly or indirectly, in any patented article required to be used on any steamer by this Title, or who is a member of any association of owners, masters, engineers, or pilots of steamboats, or who is directly or indirectly pecuniarily interested in any steam-vessel, or who has not the qualifications and acquirements prescribed by this Title, or who is intemperate in his habits, shall be eligible to hold the office of either supervising or local inspector, or to discharge the duties thereof; and if any such person shall attempt to exercise the functions of the office of either inspector, he shall be deemed guilty of a misdemeanor, punishable by a fine of five hundred dollars, and shall be dismissed from office.

What persons
are not eligible.
R. S., 4416.

^a Under a decision of the Attorney-General, so much of section 4415 as requires the board of designators therein named to make the designation for appointment of a local inspector is claimed to be repealed by the civil-service act.

Inspection of
hulls.
R. S., 4417.

The local inspectors shall, once in every year, at least, upon application in writing of the master or owner, carefully inspect the hull of each steam-vessel within their respective districts, and shall satisfy themselves that every such vessel so submitted to their inspection is of a structure suitable for the service in which she is to be employed, has suitable accommodations for passengers and the crew, and is in a condition to warrant the belief that she may be used in navigation as a steamer, with safety to life, and that all the requirements of law in regard to fires, boats, pumps, hose, life-preservers, floats, anchors, cables, and other things, are faithfully complied with; and if they deem it expedient, they may direct the vessel to be put in motion, and may adopt any other suitable means to test her sufficiency and that of her equipment.

Annual inspection.
Dec. 21, 1898.
(30 Stat., 765.)
Sec. 4.

The local inspectors shall, once in every year, at least, or upon application in writing of the master or owner, carefully inspect the hull of each sail vessel of over seven hundred tons and all other vessels and barges of over one hundred tons burden carrying passengers for hire within their respective districts, and shall satisfy themselves that every such vessel so submitted to their inspection is of a structure suitable for the service in which she is to be employed, has suitable accommodations for the crew, and is in a condition to warrant the belief that she may be used in navigation with safety to life.

Inspection of
boilers.
R. S., 4418.

The local inspectors shall also inspect the boilers of all steam-vessels before the same shall be used, and once at least in every year thereafter. They shall subject all boilers to the hydrostatic pressure; and shall satisfy themselves by thorough examination that the boilers are well made, of good and suitable material; that the openings for the passage of water and steam, respectively, and all pipes and tubes exposed to heat, are of proper dimensions and free from obstruction; that the spaces between and around the flues are sufficient; that the flues are circular in form; that the fire line of the furnace is at least two inches below the prescribed minimum water-line of the boilers; that the arrangement for delivering the feed-water is such that the boilers can not be injured thereby; and that such boilers and machinery, and the appurtenances, may be safely employed in the service proposed in the written application, without peril to life. They shall also satisfy themselves that the safety-valves are of suitable dimensions, sufficient in number, and well arranged; and that the weights of the safety-valves are properly adjusted, so as to allow no greater pressure in the boilers than the amount prescribed by the inspection certificate; that there is a sufficient number of gauge-cocks properly inserted and suitable steam gauges to indicate the pressure of steam; and that there are reliable low-water gauges; and that the fusible metals are properly inserted so as to fuse by the

June 19, 1886.
(24 Stat., 82.)
Sec. 14.

heat of the furnace, whenever the water in the boilers falls below its prescribed limits; and that adequate and certain provision is made for an ample supply of water to feed the boilers at all times, whether such vessel is in motion or not, so that in high-pressure boilers the water shall not be less than four inches above the top of the flues; and that means for blowing out are provided, so as to thoroughly remove the mud and sediment from all parts of the boilers, when they are under pressure of steam. * * * a.

All boilers used on steam-vessels and constructed of iron or steel plates, inspected under the provisions of section forty-four hundred and thirty, shall be subjected to a hydrostatic test, in the ratio of one hundred and fifty pounds to the square inch to one hundred pounds to the square inch of the working steam-power allowed. No boiler or pipe, nor any of the connections therewith, shall be approved, which is made, in whole or in part, of bad material, or is unsafe in its form, or dangerous from defective workmanship, age, use, or other cause.

One of the safety-valves may, if in the opinion of the local inspectors it is necessary to do so, * * * be taken wholly from the control of all persons engaged in navigating such vessel and secured by the inspectors.

Control of
safety-valves.
R. S., 4419.
June 19, 1886.
(24 Stat., 82.)

When the inspection of a steam-vessel is completed and the inspectors approve the vessel and her equipment throughout, they shall make and subscribe a certificate to the collector or other chief officer of the customs of the district in which such inspection has been made, in accordance with the form and regulations prescribed by the board of supervising inspectors. Such certificate shall be verified by the oaths of inspectors signing it [,] before the chief officer of the customs of the district, or any other person competent by law to administer oaths. If the inspectors refuse to grant a certificate of approval, they shall make a statement in writing, and sign the same, giving the reasons for their disapproval.

Certificate of
inspection.
R. S., 4421.

Upon the application of any master or owner of any steam-vessel employed in the carriage of passengers, for a license to carry gunpowder, the local inspectors shall examine such vessel, and if they find that she is provided with a chest or safe composed of metal, or entirely lined and sheathed therewith, or if the vessel has one or more compartments thoroughly lined and sheathed with metal, at a secure distance from any fire, they may grant a certificate to that effect, authorizing such vessel to carry as freight within such chest, safes, or compartments, the article of gunpowder.

License to carry
gunpowder.
R. S., 4422.

Every collector or other chief officer of the customs shall retain on file all original certificates of the inspectors required to be delivered to him, and shall give to the mas-

Disposal of cer-
tificate of inspec-
tion.
R. S., 4423.

^a Part omitted virtually expired by limitation February 28, 1872.

ter or owner of the vessel therein named three certified copies thereof; two of which shall be placed by such master or owner in conspicuous places in the vessel where they will be most likely to be observed by passengers and others, and there kept at all times, framed under glass; and the other shall be retained by such master or owner, as evidence of the authority thereby conferred.

Carrying passengers or gunpowder contrary to law.

R. S., 4424.

Whenever any passenger is received on board any steam-vessel not having the certified copies of the certificate of approval placed and kept as required by this Title, or whenever any passenger steam-vessel receives or carries any gunpowder on board, not having a certificate authorizing the same, and a certified copy thereof placed and kept as required, or shall carry any gunpowder at a place or in a manner not authorized by such certificate, such steam-vessel shall be liable to a penalty of one hundred dollars for each offense.^a

Inspector certifying falsely.

R. S., 4425.

Every inspector who willfully certifies falsely touching any steam-vessel, as to her hull, accommodations, boilers, engines, machinery, or their appurtenances, or any of her equipments, or any matter or thing contained in any certificate signed and sworn to by him, shall be punished by fine of not more than five hundred dollars, or imprisonment for not more than six months, or both.^b

Ferry-boats, canal-boats, yachts, etc.

R. S., 4426.

The hull and boilers of every ferry-boat, canal-boat, yacht, or other small craft of like character, propelled by steam, shall be inspected under the provisions of this Title. Such other provisions of law for the better security of life, as may be applicable to such vessels, shall, by the regulations of the board of supervising inspectors, also be required to be complied with, before a certificate of inspection shall be granted; and no such vessel shall be navigated without a licensed engineer and a licensed pilot: "Provided, however, That in open steam-launches of ten tons burden and under, one person, if duly qualified, may serve in the double capacity of pilot and engineer."

Dec. 22, 1890.
(26 Stat., 692.)

Jan. 18, 1897.
(29 Stat., 489.)

"All vessels of above fifteen tons burden, carrying freight or passengers for hire, propelled by gas, fluid, naphtha, or electric motors, shall be, and are hereby, made subject to all the provisions of section forty-four hundred and twenty-six of the Revised Statutes of the United States, relating to the inspection of hulls and boilers and requiring engineers and pilots."

Tug-boats, freight-boats, etc.

R. S., 4427.

The hull and boiler of every tug-boat, towing-boat, and freight-boat shall be inspected, under the provisions of this Title; and the inspectors shall see that the boilers, machinery, and appurtenances of such vessel are not dangerous in form or workmanship, and that the safety-valves, gauge-cocks, low-water alarm-indicators, steam-gauges, and fusible plugs are all attached in conformity to law; and the

^a See sections 4472, 4474-4476, pages 136, 137, 138.

^b See section 5482, page 145.

officers navigating such vessels shall be licensed in conformity with the provisions of this Title, and shall be subject to the same provisions of law as officers navigating passenger-steamers.

That any steam vessel engaged in the business of towing vessels, rafts, or water craft of any kind, also steam vessels engaged in oyster dredging and planting, and fishing steamers engaged in food fishing on the Great Lakes and all other inland waters of the United States, and not carrying passengers, may be authorized and licensed by the supervising inspector of the district in which said steamer shall be employed to carry on board such number of persons, in addition to its crew, as the supervising inspector, in his judgment, shall deem necessary to carry on the legitimate business of such towing, oyster and fishing steamers, not exceeding, however, one person to every net ton of measurement of said steamer: *Provided, however,* That the person so allowed to be carried shall not be carried for hire.

Persons allowed on board certain vessels.
July 9, 1886.
(24 Stat., 129.)
Sec. 1.
Feb. 23, 1901.
(31 Stat., 801.)

Every steam vessel licensed under the foregoing section shall carry and have on board, in accessible places, one life-preserver for every person allowed to be carried, in addition to those provided for the crew of such vessel.

Life preservers.
July 9, 1886.
(24 Stat., 129.)
Sec. 2.

Every boiler manufactured to be used on steam-vessels, and made of iron or steel plates, shall be constructed of plates that have been stamped in accordance with the provisions of this Title.

Construction of boilers.
R. S. 4428.

Every person who constructs a boiler, or steam-pipe connecting the boilers, to be used on steam-vessels, of iron or steel plates which have not been duly stamped and inspected according to the provisions of this Title, or who knowingly uses any defective, bad, or faulty iron or steel in the construction of such boilers; or who drifts any rivet-hole to make it come fair; or who delivers any such boiler for use, knowing it to be imperfect in its flues, flanging, riveting, bracing, or in any other of its parts, shall be fined one thousand dollars, one-half for the use of the informer. Nothing in this Title shall be so construed as to prevent from being used, on any steamer, any boiler or steam-generator which may not be constructed of riveted iron or steel plates, when the board of supervising inspectors have satisfactory evidence that such boiler or steam generator is equal in strength, and as safe from explosion, as a boiler of the best quality constructed of riveted iron or steel plates. *Provided, however,* That the Secretary of Commerce and Labor may grant permission to use any boiler or steam generator not constructed of riveted iron or steel plates upon the certificate of the supervising inspector of steamboats for the district wherein such boiler or generator is to be used, and other satisfactory proof that the use of the same is safe and efficient; said

Improper construction of boilers.
R. S. 4429.

Aug. 7, 1882.
(22 Stat., 310.)

permit to be valid until the next regular meeting of the supervising inspectors who shall act thereon.

Inspection of
boiler plates.
R. S., 4430.

Every iron or steel plate used in the construction of steamboat-boilers, and which shall be subject to a tensile strain, shall be inspected in such manner as shall be prescribed by the board of supervising inspectors and approved by the Secretary of Commerce and Labor, so as to enable the inspectors to ascertain its tensile strength, homogeneity, toughness, and ability to withstand the effect of repeated heating and cooling; and no iron or steel plate shall be used in the construction of such boilers which has not been inspected and approved under those rules.

*Jan. 22, 1894.
(28 Stat., 28.)*

And the Supervising Inspector-General may, under the direction of the Secretary of Commerce and Labor, detail assistant inspectors from any local inspection district where assistant inspectors are employed, to inspect iron or steel boiler plates at the mills where the same are manufactured; and if the plates are found in accordance with the rules of the supervising inspectors, the assistant inspector shall stamp the same with the initials of his name, followed by the letters and words, 'U. S. assistant Inspector;' and material so stamped shall be accepted by the local inspectors in the districts where such material is to be manufactured into marine boilers as being in full compliance with the requirements of this section regarding the inspection of boiler plates; it being further provided that any person who affixes any false, forged, fraudulent, spurious, or counterfeit of the stamp herein authorized to be put on by an assistant inspector, shall be deemed guilty of a felony, and shall be fined not less than one thousand dollars, nor more than five thousand dollars, and imprisoned not less than two years nor more than five years.

Stamping of
boiler plates.
R. S., 4431.

Every plate of boiler-iron or steel, made for use in the construction of steamboat-boilers, shall be distinctly and permanently stamped by the manufacturer thereof, and, if practicable, in such places that the marks shall be left visible when such plates are worked into boilers, with the name of the manufacturer, the place where manufactured, and the number of pounds tensile strain it will bear to the sectional square inch; and the inspectors shall keep a record in their office of the stamps upon all boiler-plates and boilers which they inspect.

Counterfeiting
stamps.
R. S., 4432.

Every person who counterfeits, or causes to be counterfeited, any of the marks or stamps prescribed for boiler-iron or steel plates, or who designedly stamps, or causes to be stamped falsely, any such plates; and every person who stamps or marks, or causes to be stamped or marked, any such iron or steel plates with the name or trade-mark of another, with the intent to mislead or deceive, shall be fined two thousand dollars, one-half to the use of the

informer, and may, in addition thereto, at the discretion of the court, be imprisoned not exceeding two years.

The working steam-pressure allowable on boilers constructed of plates inspected as required by this Title, when single-riveted, shall not produce a strain to exceed one-sixth of the tensile strength of the iron or steel plates of which such boilers are constructed; but where the longitudinal laps of the cylindrical parts of such boilers are double-riveted, and the rivet-holes for such boilers have been fairly drilled instead of punched, an addition of twenty per centum to the working-pressure provided for single-riveting may be allowed: *Provided*, That all other parts of such boilers shall correspond in strength to the additional allowances so made; and no split-calking shall in any case be permitted.

Pressure of
steam allowable.
R. S., 4453.

No externally fired boiler having its shell constructed of iron or steel plates exceeding an average thickness of thirty one-hundredths of an inch shall be employed on any steam vessel navigating the Red River of the North or rivers flowing into the Gulf of Mexico or their tributaries; and no externally fired boiler employed on any such steam vessel shall have less than three inches space between its shell and any of its internal flues, and not less than three inches space between such flues when any such flues are more than five inches in diameter; and every such externally fired boiler employed on any such steam vessel shall be provided with a manhole in the lower part of the front head thereof, of such dimensions as may be prescribed by the Board of Supervising Inspectors, in all cases where the distance between its internal flues is less than three inches.

Boiler plate
and space be-
tween flues.
R. S., 4454.
Feb. 28, 1895.
(28 Stat., 690.)

Externally fired boilers having shells constructed of iron or steel plates not exceeding an average thickness of fifty one-hundredths of an inch may, in the discretion of the Secretary of Commerce and Labor, be authorized and employed on steam vessels navigating the Atlantic and Pacific oceans, or salt-water bays or sounds, or the Great Lakes, or any of them, and waters flowing to and from the same, or any of them: *Provided*, That on inspection no plate that is by this Act limited to a thickness of thirty one-hundredths of an inch and no plate that is by this Act limited to a thickness of fifty one-hundredths of an inch shall be rejected for use if found to exceed those dimensions, respectively, if the average thickness thereof does not exceed the limits therein specified, and the amount of steam pressure that will be permitted to be carried in boilers constructed in accordance with the requirements of this Act shall be determined from measurements showing the least thickness of the plates.

The feed-water shall be delivered into the boilers in such manner as to prevent it from contracting the metal,

Feed and con-
necting pipes.
R. S., 4455.

or otherwise injuring the boilers. And when boilers are so arranged on a vessel that there is employed a water-connecting pipe through which the water may pass from one boiler to another, there shall also be provided a similar steam-connection, having an area of opening into each boiler of at least one square inch for every two square feet of effective heating-surface contained in any one of the boilers so connected, half the flue and all other fire surfaces being computed as effective. Adequate provision shall be made on all steam vessels to prevent sparks or flames from being driven back from the fire-doors into the vessel.

Safety-valves,
fusible plugs, etc.
R. S., 4456.

Every boiler shall be provided with a good, well-constructed safety-valve or valves, of such number, dimensions, and arrangements as shall be prescribed by the board of supervising inspectors, and shall also be provided with a sufficient number of gauge-cocks and a reliable low-water indicator that will give alarm when the water falls below its prescribed limits; and in addition thereto there shall be inserted, in a suitable manner, in the flues, crown-sheet, or other parts of the boiler most exposed to the heat of the furnace when the water falls below its prescribed limits, a plug of good Banca tin.

Obstructing
safety valves,
etc.
R. S., 4457.

Every person who intentionally loads or obstructs, or causes to be loaded or obstructed, in any way or manner, the safety-valve of a boiler, or who employs any other means or device whereby the boiler may be subjected to a greater pressure than the amount allowed by the certificate of the inspectors, or who intentionally deranges or hinders the operation of any machinery or device employed to denote the state of the water or steam in any boiler, or to give warning of approaching danger, or who intentionally permits the water to fall below the prescribed low-water line of the boiler, and every person concerned therein, directly or indirectly, shall be guilty of a misdemeanor, and shall be fined two hundred dollars, and may also be imprisoned not exceeding five years.

Licenses of
officers by in-
spectors.
*R. S., 4458.
Dec. 21, 1898.
(30 Stat., 764.)
Sec. 1.*

The boards of local inspectors shall license and classify the masters, chief mates, and second and third mates, if in charge of a watch, engineers, and pilots of all steam vessels, and the masters and chief mates of sail vessels of over seven hundred tons and all other vessels and barges of over one hundred tons burden carrying passengers for hire.

It shall be unlawful to employ any person, or for any person to serve, as a master, chief mate, engineer, or pilot of any steamer, or as master or chief mate of any sail vessel of over seven hundred tons who is not licensed by the inspectors; and anyone violating this section shall be liable to a penalty of one hundred dollars for each offense.

Whenever any person applies to be licensed as master of any steam vessel, or of a sail vessel of over seven hundred tons, the inspectors shall make diligent inquiry as to his character, and shall carefully examine the applicant as well as the proofs which he presents in support of his claim, and if they are satisfied that his capacity, experience, habits of life, and character are such as warrant the belief that he can safely be entrusted with the duties and responsibilities of the station for which he makes application, they shall grant him a license authorizing him to discharge such duties on any such vessel for the term of five years; but such license shall be suspended or revoked upon satisfactory proof of bad conduct, intemperate habits, incapacity, inattention to his duties, or the willful violation of any provision of this title applicable to him.

License of captain.
R. S., 4439.
Dec. 21, 1898.
(*30 Stat.*, 764.)
Sec. 2.

Whenever any person applies for authority to be employed as chief mate of ocean or coastwise steam vessels or of sail vessels of over seven hundred tons, or as second or third mate of ocean or coastwise steam vessels, who shall have charge of a watch, or whenever any person applies for authority to be employed as mate of river steamers, the inspectors shall require satisfactory evidence of the knowledge, experience, and skill of the applicant in lading cargo and in handling and stowage of freight, and if for license as chief mate on ocean or coastwise steamers, or of sail vessels of over seven hundred tons, or as second or third mate of ocean or coastwise steamers, who shall have charge of a watch, shall also examine him as to his knowledge and ability in navigation and managing such vessels and all other duties pertaining to his station, and if satisfied of his qualifications and good character they shall grant him a license authorizing him to perform such duties for the term of five years upon the waters upon which he is found qualified to act; but such license shall be suspended or revoked upon satisfactory proof of bad conduct, intemperate habits, unskillfulness, or want of knowledge of duties of his station or the willful violation of any provision of this title.

License of chief mate.
R. S., 4440.
Dec. 21, 1898.
(*30 Stat.*, 765.)
Sec. 3.

Whenever any person applies for authority to perform the duties of engineer of any steam-vessel, the inspectors shall examine the applicant as to his knowledge of steam machinery, and his experience as an engineer, and also the proofs which he produces in support of his claim; and if, upon full consideration, they are satisfied that his character, habits of life, knowledge, and experience in the duties of an engineer are all such as to authorize the belief that he is a suitable and safe person to be intrusted with the powers and duties of such a station, they shall grant him a license, authorizing him to be employed in such duties for the term of five years, in which they shall assign

License of engineer.
R. S., 4441.

May 28, 1896.
(*29 Stat.*, 188.)

him to the appropriate class of engineers; but such license shall be suspended or revoked upon satisfactory proof of negligence, unskillfulness, intemperance, or the willful violation of any provision of this Title. Whenever complaint is made against any engineer holding a license authorizing him to take charge of the boilers and machinery of any steamer, that he has, through negligence or want of skill, permitted the boilers in his charge to burn or otherwise become in bad condition, or that he has not kept his engine and machinery in good working order, it shall be the duty of the inspectors, upon satisfactory proof of such negligence or want of skill, to revoke the license of such engineer and assign him to a lower grade or class of engineers, if they find him fitted therefor.

License of pilot.
R. S., 4442.

Whenever any person claiming to be a skillful pilot of steam-vessels offers himself for a license, the inspectors shall make diligent inquiry as to his character and merits, and if satisfied, from personal examination of the applicant, with the proof that he offers that he possesses the requisite knowledge and skill, and is trustworthy and faithful, they shall grant him a license for the term of five years to pilot any such vessel within the limits prescribed in the license; but such license shall be suspended or revoked upon satisfactory evidence of negligence, unskillfulness, inattention to the duties of his station, or intemperance, or the willful violation of any provision of this Title.

License of captain or mate as pilot.
R. S., 4443.

Where the master or mate is also pilot of the vessel, he shall not be required to hold two licenses to perform such duties, but the license issued shall state on its face that he is authorized to act in such double capacity.

State regulation of pilots.
R. S., 4444.

No State or municipal government shall impose upon pilots of steam-vessels any obligation to procure a State or other license in addition to that issued by the United States, or any other regulation which will impede such pilots in the performance of the duties required by this Title; nor shall any pilot-charges be levied by any such authority upon any steamer piloted as provided by this Title; and in no case shall the fees charged for the pilotage of any steam-vessel exceed the customary or legally established rates in the State where the same is performed. Nothing in this Title shall be construed to annul or affect any regulation established by the laws of any State, requiring vessels entering or leaving a port in any such State, other than coastwise steam-vessels, to take a pilot duly licensed or authorized by the laws of such State, or of a State situate upon the waters of such State.

Oath of licensed officers.
R. S., 4445.

Every master, chief mate, engineer, and pilot, who receives a license, shall, before entering upon his duties, make oath before one of the inspectors herein provided for, to be recorded with the certificate, that he will faithfully and honestly, according to his best skill and judg-

ment, without concealment or reservation, perform all the duties required of him by law.

Every applicant for license as either master, mate, pilot, or engineer under the provisions of this title shall make and subscribe to an oath or affirmation, before one of the inspectors referred to in this title, to the truth of all the statements set forth in his application for such license.

*Mar. 23, 1900.
(31 Stat., 50.)*

Any person who shall make or subscribe to any oath or affirmation authorized in this title and knowing the same to be false shall be deemed guilty of perjury.

False oath.

Every licensed master, mate, pilot, or engineer who shall change, by addition, interpolation, or erasure of any kind, any certificate or license issued by any inspector or inspectors referred to in this title shall, for every such offense, upon conviction, be punished by a fine of not more than five hundred dollars or by imprisonment at hard labor for a term not exceeding three years.

Changing li-
cense.

Every master, mate, engineer, and pilot who shall receive a license shall, when employed upon any vessel, place his certificate of license, which shall be framed under glass, in some conspicuous place in such vessel, where it can be seen by passengers and others at all times; and for every neglect to comply with this provision by any such master, mate, engineer, or pilot, he shall be subject to a fine of one hundred dollars, or to the revocation of his license.

Licenses to be
posted.
R. S., 4446.

When any licensed officer is employed on a steamer in a district distant from any local board of inspectors, such inspectors, or the supervising inspector of the district, may grant a renewal of his license, without such licensed officer being personally present, under such regulations as the board of supervising inspectors shall prescribe.

Renewal of of-
ficer's license.
R. S., 4447.

All officers licensed under the provisions of this Title shall assist the inspectors in their examination of any vessel to which such licensed officers belong, and shall point out all defects and imperfections known to them in the hull, equipments, boilers, or machinery of such vessel, and also shall make known to the inspectors, at the earliest opportunity, all accidents or occurrences producing serious injury to the vessel, her boilers, or machinery; and in default thereof the license of any such officer so neglecting or refusing shall be revoked.

Licensed offi-
cers to assist in-
spectors in ex-
aminations.
R. S., 4448.

If any licensed officer shall, to the hindrance of commerce, wrongfully or unreasonably refuse to serve in his official capacity on any steamer, as authorized by the terms of his certificate of license, or shall fail to deliver to the applicant for such service at the time of such refusal, if the same shall be demanded, a statement in writing assigning good and sufficient reasons therefor, or if any pilot or engineer shall refuse to admit into the pilot-house or engine-room any person whom the master or owner of the vessel may desire to place there for the purpose of

Revocation of
officer's license
for refusing to
serve.
E. S., 4449.

learning the profession, his license shall be revoked, upon the same proceedings as are provided in other cases of revocation of such licenses.

Investigation
of conduct of of-
ficers.
R. S., 4450.

The local boards of inspectors shall investigate all acts of incompetency or misconduct committed by any licensed officer while acting under the authority of his license, and shall have power to summon before them any witnesses within their respective districts, and compel their attendance by a similar process as in the United States circuit or district courts; and they may administer all necessary oaths to any witnesses thus summoned before them; and after reasonable notice in writing, given to the alleged delinquent, of the time and place of such investigation, such witnesses shall be examined, under oath, touching the performance of his duties by any such licensed officer; and if the board shall be satisfied that such licensed officer is incompetent, or has been guilty of misbehavior, negligence, or unskillfulness, or has endangered life, or willfully violated any provision of this Title, they shall immediately suspend or revoke his license. (See sec. 2, p. 146, act of May 28, 1896.)

Payment of
marshals and
witnesses.
R. S., 4451.

^{a, b} The chief officer of the customs for the district shall pay [from any money in the Treasury not otherwise appropriated] such fees to the United States marshal for his services, and to any witness, so summoned, for his actual travel and attendance, as shall be officially certified to by any inspector hearing the case, upon the back of such summons, not exceeding the rate allowed for fees and to witnesses for travel and attendance in any circuit or district courts of the United States.

Appeal to su-
pervising in-
spector.
R. S., 4452.

Whenever any board of local inspectors refuses to grant a license to any person applying for the same, or suspends or revokes the license of any master, mate, engineer, or pilot, any person deeming himself wronged by such refusal, suspension, or revocation, may, within thirty days thereof, on application to the supervising inspector of the district, have his case examined anew by such supervising inspector; and the local board shall furnish to the supervising inspector, in writing, the reasons for its doings in the premises; and such supervising inspector shall examine the case anew, and he shall have the same powers to summon witnesses and compel their attendance, and to administer oaths, that are conferred on local inspectors; and such witnesses and the marshal shall be paid in the same manner as provided for by the preceding section; and such supervising inspector may revoke, change, or modify the decision of such local board; and like proceedings may be had by any master or owner of any steam-vessel in relation to the inspection of such vessel, or her boilers or machinery, by any such local board; and in

^a Sections 829 and 848, *R. S.*, relate to marshal and witness fees.

^b As amended by act June 19, 1886, and act of April 4, 1888. (See page 145.)

case of repairs, and in any investigation or inspection, where there shall be a disagreement between the local inspectors, the supervising inspector, when so requested, shall investigate and decide the case.

In addition to the annual inspection, the local inspectors shall examine, at proper times, steamers arriving and departing to and from their respective ports, so often as to enable them to detect any neglect to comply with the requirements of law, and also any defects or imperfections becoming apparent after the inspection aforesaid, and tending to render the navigation of the vessels unsafe; and if they shall discover any omission to comply with the law, or that repairs have become necessary to make the vessel safe, the inspector shall at once notify the master, in writing, stating in the notice what is required; and if the master deems the requirements unreasonable or unnecessary, he may apply for a reexamination of the case to the supervising inspector, as provided in the preceding section. All inspections and orders for repairs shall be promptly made by the inspectors, and, when it can be safely done in their judgment, they shall permit repairs to be made where those interested can most conveniently do them.

Reinspection
and notice for re-
pairs.
R. S., 4453.

If any master or owner of any steamer shall refuse or neglect to comply with the requirements of the local inspectors, made in pursuance of the preceding section, and shall, contrary thereto and while the same remains unreversed by the supervising inspector, employ the vessel by navigating her, the master and owner shall be liable to a penalty of five hundred dollars for each offense, one-half for the use of the informer; for which sum the vessel itself shall be liable, and may be seized and proceeded against by libel in any district court having jurisdiction; and the master and owner, and the vessel itself, shall, in addition thereto, be liable for any damage to passengers and their baggage which shall occur from any defects as stated in the notice prescribed by the preceding section.^a

Failure to make
repairs.
R. S., 4454.

The inspectors of one district shall not modify or annul the doings of the inspectors of another district in regard to repairs, unless there is a change in the state of things, demanding more repairs than were thought necessary when the order was made. Nor shall the inspectors of one district license a person coming from another district, if such person has been rejected for unfitness or want of qualifications.

Effect of in-
spector's official
act.
R. S., 4455.

The local boards of inspectors, when so requested in writing by any master of [or] owner, shall, under the direction of the supervising inspector, inspect steamers in other collection-districts where no such board is established; and if a certificate of approval is not granted, no other inspection shall be made by the same or any other

Inspections in
districts not hav-
ing inspectors.
R. S., 4456.

^a See section 5344, page 144.

board until the objections made by such local board and unreversed by the supervising inspector of the district, are removed. Nothing in this section shall impair the right of the inspectors to permit such vessel to go to another port for repairs, if in their opinion it can be done with safety.

Records and reports by local inspectors.
R. S., 4457.

The local inspectors shall keep a record of certificates of inspection of vessels, their boilers, engines, and machinery, and of all their acts in their examination and inspection of steamers, whether of approval or disapproval; and when a certificate of approval is recorded, the original shall be delivered to the collector or other chief officer of the customs of the district. They shall also keep a like record of certificates authorizing gunpowder to be carried as freight by any steamer carrying passengers, and of all licenses granted to masters, mates, pilots, and engineers, and of all refusals of the same, of all suspensions and revocations of license, of all refusals, suspensions, or revocations of which they shall receive notices from other districts; and shall report to the supervising inspector of their respective districts, in writing, their decisions in cases of refusal of licenses, or of the suspension or revocation thereof, and all testimony received by them in such proceedings. They shall also report promptly to such supervising inspector all violations of the steamboat-laws that come to their knowledge. They shall also keep an accurate account of every steamer boarded by them during the year, and of all their official acts and doings, which, in the form of a report, they shall communicate to the supervising inspector of the district, at such times as the board of supervising inspectors, by their established rules, shall direct.

Bonds of inspectors.
R. S., 4459.

Every supervising and local inspector of steamboats shall execute a proper bond, to be approved by the Secretary of Commerce and Labor, in such form and upon such conditions as the Secretary may prescribe, for the faithful performance of the duties of his office, and the payment in the manner provided by law of all moneys that may be received by him.

Instruments, stationery, printing, etc., for local boards.
R. S., 4460.

The Secretary of Commerce and Labor shall procure for the several supervising inspectors and local boards of inspectors such instruments, stationery, printing, and other things necessary for the use of their respective offices as may be required therefor.

Payment of salaries and expenses.
R. S., 4461.
June 19, 1886.
(24 Stat., 79.)
Apr. 4, 1888.
(25 Stat., 80.)

The salaries of the supervising inspector-general, of all supervising inspectors, local inspectors, assistant inspectors, and clerks, provided for by this Title, together with their traveling and other expenses when on official duty, and all instruments, books, blanks, stationery, furniture, and other things necessary to carry into effect the provisions of this Title, shall be paid for, under the direction of the Secretary of Commerce and Labor, [from any money in the Treasury not otherwise appropriated].

The Secretary of Commerce and Labor shall make such regulations as may be necessary to secure the proper execution of this Title.

Regulations.
R. S., 4462.

No steamer carrying passengers shall depart from any port unless she shall have in her service a full complement of licensed officers and full crew, sufficient at all times to manage the vessel, including the proper number of watchmen. But if any such vessel, on her voyage, is deprived of the services of any licensed officer, without the consent, fault, or collusion of the master, owner, or any person interested in the vessel, the deficiency may be temporarily supplied, until others licensed can be obtained.

Officers and crew of passenger steamers.
R. S., 4463.

The inspectors shall state in every certificate of inspection granted to steamers carrying passengers, other than ferry-boats, the number of passengers of each class that any such steamer has accommodations for, and can carry with prudence and safety.

Number of passengers allowable.
R. S., 4464.

It shall not be lawful to take on board of any steamer a greater number of passengers than is stated in the certificate of inspection; and for every violation of this provision the master or owner shall be liable, to any person suing for the same, to forfeit the amount of passage-money and ten dollars for each passenger beyond the number allowed.

Penalty for carrying too great a number of passengers.
R. S., 4465.

If any passenger-steamer engages in excursions, the inspectors shall issue to such steamer a special permit, in writing, for the occasion, in which shall be stated the additional number of passengers that may be carried, and the number and kind of life-saving appliances that shall be provided for the safety of such additional passengers; and they shall also, in their discretion, limit the route and distance for such excursions.

Special permit for excursions.
R. S., 4466.

The master of every passenger-steamer shall keep a correct list of all the passengers received and delivered from day to day, noting the places where received and where landed, which record shall be open to the inspection of the inspectors and officers of the customs at all times; and the aggregate number of passengers shall be furnished to inspectors as often as called for; but on routes not exceeding one hundred miles, the number of passengers, if kept, shall be sufficient.

List of passengers.
R. S., 4467.

Every master of any passenger-steamer who fails, through negligence or design, to keep a list of passengers, as required by the preceding section, shall be liable to a penalty of one hundred dollars.

Penalty for failure to keep passenger list.
R. S., 4468.

The penalties imposed by sections forty-four hundred and sixty-five and forty-four hundred and sixty-eight shall be a lien upon the vessel in each case; but a bond may, as provided in other cases, be given to secure the satisfaction of the judgment.

Recovery of penalties.
R. S., 4469.

Every steamer carrying passengers or freight shall be provided with suitable pipes and valves attached to the boiler, to convey steam into the hold and the different compartments thereof, to extinguish fire; and every stove used on board of any such vessel shall be well and securely

Precautions against fire.
R. S., 4470.

fastened, so as to prevent it from being moved or overthrown, and all wood-work or other ignitable substances about the boilers, chimneys, cook-houses, and stovepipes exposed to ignition, shall be thoroughly shielded by some incombustible material, in such a manner as to leave the air to circulate freely between such material and wood-work or other ignitable substance; and before granting a certificate of inspection, the inspector shall require all other necessary provisions to be made throughout such vessel to guard against loss or danger from fire.

Fire pumps
and hose.
R. S., 4471.

Every steamer permitted by her certificate of inspection to carry as many as fifty passengers, or upward, and every steamer carrying passengers, which also carries cotton, hay, or hemp, shall be provided with a good double-acting steam fire-pump, or other equivalent apparatus for throwing water. Such pump or other apparatus for throwing water shall be kept at all times and at all seasons of the year in good order and ready for immediate use, having at least two pipes of suitable dimensions, one on each side of the vessel, to convey the water to the upper decks, to which pipes there shall be attached, by means of stop-cocks or valves, both between decks and on the upper deck, good and suitable hose of sufficient strength to stand a pressure of not less than one hundred pounds to the square inch, long enough to reach to all parts of the vessel and properly provided with nozzles, and kept in good order and ready for immediate service. Every steamer exceeding two hundred tons burden and carrying passengers shall be provided with two good double-acting fire-pumps, to be worked by hand; each chamber of such pumps, except pumps upon steamers in service on the twenty-eighth day of February, eighteen hundred and seventy-one, shall be of sufficient capacity to contain not less than one hundred cubic inches of water; and such pumps shall be placed in the most suitable parts of the vessel for efficient service, having suitable well-fitted hose to each pump, of at least one-half the vessel in length, kept at all times in perfect order, and shipped up and ready for immediate use. On every steamer not exceeding two hundred tons, one of such pumps may be dispensed with. Each fire-pump thus prescribed shall be supplied with water by means of a suitable pipe connected therewith, and passing through the side of the vessel so low as to be at all times under water when she is afloat; and no fire pump thus provided for shall be placed below the lower deck of the vessel. Every steamer shall also be provided with a pump which shall be of sufficient strength and suitably arranged to test the boilers thereof.

Dangerous articles not to be carried on passenger steamers.
R. S., 4472.

"No loose hay, loose cotton, or loose hemp, camphene, nitro-glycerine, naphtha, benzine, benzole, coal-oil, crude or refined petroleum, or other like explosive burning

^a See sections 4278-4280 and 5353-5355, pages 143, 144, 145.

fluids, or like dangerous articles, shall be carried as freight or used as stores on any steamer carrying passengers; nor shall baled cotton or hemp be carried on such steamers unless the bales are compactly pressed and thoroughly covered with bagging of similar fabric, and secured with good rope or iron bands; nor shall gunpowder be carried on any such vessel, except under special license; nor shall oil of vitriol, nitric or other chemical acids be carried on such steamers except on the decks or guards thereof, or in such other safe part of the vessel as shall be prescribed by the inspectors. Refined petroleum, which will not ignite at a temperature less than one hundred and ten degrees of Fahrenheit thermometer, may be carried on board such steamers upon routes where there is no other practicable mode of transporting it, and under such regulations as shall be prescribed by the board of supervising inspectors with the approval of the Secretary of Commerce and Labor; and oil or spirits of turpentine may be carried on such steamers when put up in good metallic vessels, or casks or barrels well and securely bound with iron and stowed in a secure part of the vessel; and friction-matches may be carried on such steamers when securely packed in strong tight chests or boxes, the covers of which shall be well secured by locks, screws, or other reliable fastenings, and stowed in a safe part of the vessel at a secure distance from any fire or heat. All such other provisions shall be made on every steamer carrying passengers or freight, to guard against and extinguish fire, as shall be prescribed by the board of supervising inspectors, and approved by the Secretary of Commerce and Labor.

Nothing in the foregoing or following sections of this act shall prohibit the transportation by steam vessels of gasoline or any of the products of petroleum when carried by motor vehicles (commonly known as automobiles) using the same as a source of motive power: *Provided, however,* That all fire, if any, in such vehicles or automobiles be extinguished before entering the said vessel, and that the same be not relighted until after said vehicle shall have left the same: *Provided further,* That any owner, master, agent, or other person having charge of passenger steam vessels shall have the right to refuse to transport automobile vehicles the tanks of which contain gasoline, naphtha, or other dangerous burning fluids.

Every bale of cotton or hemp that shall be shipped or carried on any passenger-steamer, without conforming to the provisions of the preceding section, shall be subject to a penalty of five dollars, and shall be liable to seizure and sale to secure the payment of such penalty.

The Secretary of Commerce and Labor may grant permission to the owner of any steam-vessel, to use any invention or process for the utilization of petroleum or other mineral oils or substances in the production of

Automobiles,
transportation
of.

Feb. 20, 1901.
(31 Stat., 799.)

Penalty for un-
lawfully carry-
ing cotton or
hemp.

R. S., 4473.

License for use
of petroleum in
the production of
motive power.

R. S., 4474.

motive-power, and may make and enforce regulations concerning the application and use of the same for such purpose. But no such permission shall be granted, unless upon the certificate of the supervising inspector of steamboats for the district wherein such vessel is registered, and other satisfactory proof that the use of the same is safe and efficient; and upon such proof, and the approval of such certificate by the Secretary of Commerce and Labor, a special license for the use of such process or invention shall issue under the seal of the Department of Commerce and Labor.

Petroleum as
fuel.
Oct. 18, 1888.
(25 Stat., 564.)

Provided, however, That the Secretary of Commerce and Labor may permit the use of petroleum as fuel on steamers not carrying passengers, without the certificate of the Supervising Inspector of the district where the vessel is to be used, subject to such conditions and safeguards as the Secretary of Commerce and Labor in his judgment shall provide.

Violation of
regulations.

For a violation of any of the conditions imposed by the Secretary of Commerce and Labor a penalty of five hundred dollars shall be imposed, which penalty shall be a lien upon the vessel, but a bond may, as provided in other cases, be given to secure the satisfaction of the judgment.

Mode of pack-
ing dangerous
articles.
R. S., 4475.

All gunpowder, nitro-glycerine, camphene, naphtha, benzine, benzole, coal-oil, crude or refined petroleum, oil of vitriol, nitric or other chemical acids, oil or spirits of turpentine, friction-matches, and all other articles of like character, when packed or put up for shipment, shall be securely packed and put up separately from each other and from all other articles; and the package, box, cask, or other vessel containing the same shall be distinctly marked on the outside, with the name or description of the article contained therein.

Punishment
for unlawfully
shipping danger-
ous articles.
R. S., 4476.

"Every person who packs or puts up, or causes to be packed or put up for shipment, any gunpowder, nitro-glycerine, camphene, naphtha, benzine, benzole, coal-oil, crude or refined petroleum, oil of vitriol, nitric or other chemical acids, oil or spirits of turpentine, friction-matches, or other articles of like character otherwise than as directed by the preceding section, or who knowingly ships or attempts to ship the same, or delivers the same to any such vessels as stores, unless duly packed and marked, shall be deemed guilty of a misdemeanor, and punished by fine not exceeding two thousand dollars, or imprisonment not exceeding eighteen months, or both; one-half of the fine to go to the informer, and the articles to be liable to seizure and forfeiture.

Watchmen on
passenger steam-
ers.
R. S., 4477.

Every steamer carrying passengers during the nighttime shall keep a suitable number of watchmen in the cabins, and on each deck, to guard against fire or other dangers, and to give alarm in case of accident or disaster.

^a See note to section 4472, page 136.

For any neglect to keep the watchmen required by the preceding section, the license of the officer in charge of the vessel for the time being shall be revoked; and every owner of such vessel who neglects or refuses to furnish the number of men necessary to keep watch as required shall be fined one thousand dollars.

Penalty for failure to keep watchmen.
R. S., 4478.

The board of supervising inspectors may require steamers carrying either passengers or freight to be provided with such number and kind of good and efficient portable fire-extinguishers as, in the judgment of the board, may be necessary to protect them from fire when such steamers are moored or lying at a wharf without steam to work the pumps.

Fire-extinguishers.
R. S., 4479.

Every steamer carrying passengers shall be provided with wire tiller-ropes, or iron rods or chains, for the purpose of steering and navigating the vessel, and shall employ wire bell-pulls for signaling the engineer from the pilot-house, together with tubes of proper size so arranged as to return the sound of the engine-bells to the pilot-house, or other arrangement to repeat back the signal. But on any such vessel navigated by the mariner's compass, so much of such wire rope or chain may be dispensed with and disused as shall influence or disturb the working of the compass.

Wire tiller ropes, bell pulls, etc., for passenger steamers.
R. S., 4480.

Every steam-vessel navigating rivers only, except ferry-boats, freight-boats, canal-boats, and towing-boats, of less than fifty tons, shall have at least one good substantial boat with lines attached, and properly supplied with oars, and kept in good condition at all times, and ready for immediate use; and in addition thereto, every such vessel carrying passengers shall have one or more metallic life-boats, fire-proof, and in all respects good and substantial boats, of such dimensions and arrangements as the board of supervising inspectors by their regulations shall prescribe, which boats shall be carried in the most convenient manner to be brought into immediate use in case of accident. But where the character of the navigation is such that, in the opinion of the supervising inspector, the metallic life-boats can be dispensed with, he may exempt any such vessel from carrying the same; or may require a substitute therefor, at his discretion.

Boats for river steamers.
R. S., 4481.

Every such steam-vessel carrying passengers shall also be provided with a good life-preserver, made of suitable material, for every cabin passenger for which she will have accommodation, and also a good life-preserver or float for each deck or other class passenger which the inspector's certificate shall allow her to carry, including the officers and crew; which life-preservers or floats shall be kept in convenient and accessible places on such vessel in readiness for immediate use in case of accident.

Life-preservers for river steamers carrying passengers.
R. S., 4482.

Every such steam-vessel carrying passengers, of two hundred tons burden or less, shall also keep at least eighteen fire-buckets and two water-barrels, and shall have not less than four axes; and every such steamer of over two hun-

Fire buckets, axes, etc., for river steamers carrying passengers.
R. S., 4483.

dred tons, and not less than five hundred tons burden, shall carry not less than twenty-four buckets, four water-barrels, and six axes; and every such steamer of over five hundred tons shall carry not less than thirty-five buckets, six water-barrels, and eight axes. The buckets and barrels shall be kept in convenient places and filled with water, to be in readiness in case of fire, and the axes shall be kept in good order and ready for immediate use. Tanks of suitable dimensions and arrangement, or buckets in sufficient number, may be substituted for barrels.

Stairways and gangways on river steamers carrying passengers on main deck.

R. S., 4484.

Every such steam-vessel carrying passengers on the main-deck shall be provided with permanent stairways and other sufficient means, convenient to the passengers, for their escape to the upper deck, in case of the vessel sinking or of other accident endangering life; and in the stowage of freight upon such deck, where passengers are carried, gangways or passages, sufficiently large to allow persons to pass freely through them, shall be left open both fore and aft of the vessel, and also to and along the guards on each side.

Accommodation of deck passengers.

R. S., 4485.

The captain or mate of every such steam-vessel carrying passengers upon the main-deck shall assign to all deck passengers, when taking passage, the space on deck they may occupy during the voyage, and such space shall not thereafter be occupied by freight, nor overcrowded by other persons, nor shall freight be stowed about the boilers or machinery, in such a manner as to obstruct or prevent the engineer from readily attending to his duties.

Penalty for not providing proper accommodations.

R. S., 4486.

For every violation of the provisions of the two preceding sections the owners of the vessel shall be punished by a fine of three hundred dollars.

River steamers to be anchored when navigation is unsafe.

R. S., 4487.

On any steamers navigating rivers only, when, from darkness, fog, or other cause, the pilot or [on] watch shall be of opinion that the navigation is unsafe, or, from accident to or derangement of the machinery of the boat, the chief engineer shall be of the opinion that the further navigation of the vessel is unsafe, the vessel shall be brought to anchor, or moored as soon as it can prudently be done: *Provided*, That if the person in command shall, after being so admonished by either of such officers, elect to pursue such voyage, he may do the same; but in such case both he and the owners of such steamer shall be answerable for all damages which shall arise to the person of any passenger, or his baggage, from such causes in so pursuing the voyage, and no degree of care or diligence shall in such case be held to justify or excuse the person in command, or the owners.

Life-boats, etc., on ocean, lake, and sound steamers.

R. S., 4488.

Mar. 2, 1889.
(25 Stat., 1012.)

Every steamer navigating the ocean, or any lake, bay, or sound of the United States, shall be provided with such numbers of life-boats, floats, rafts, life-preservers, [line-carrying projectiles, and the means of propelling them] and drags, as will best secure the safety of all persons on board such vessel in case of disaster; and every sea-

going vessel carrying passengers, and every such vessel navigating any of the northern or northwestern lakes, shall have the life-boats required by law, provided with suitable boat-disengaging apparatus, so arranged as to allow such boats to be safely launched while such vessels are under speed or otherwise, and so as to allow such disengaging-apparatus to be operated by one person, disengaging both ends of the boat simultaneously from the tackles by which it may be lowered to the water. And the board of supervising inspectors shall fix and determine, by their rules and regulations, the kind of life-boats, floats, rafts, life-preservers, [line-carrying projectiles, and the means of propelling them]^a and drags that shall be used on such vessels, and also the kind and capacity of pumps or other appliances for freeing the steamer from water in case of heavy leakage, the capacity of such pumps or appliances being suited to the navigation in which the steamer is employed.

Mar. 2, 1889.
(25 Stat., 1012.)

The owner of any such steamer who neglects or refuses to provide such life-boats, floats, rafts, life-preservers, [line-carrying projectiles, and the means of propelling them]^a drags, pumps, or appliances, as are, under the provisions of the preceding section, required by the board of supervising inspectors, and approved by the Secretary of Commerce and Labor, shall be fined one thousand dollars.

Penalty for failure to provide life-boats, etc.
R. S., 4489.
Mar. 2, 1889.
(25 Stat., 1012.)

Every sea-going steamer, and every steamer navigating the great northern or northwestern lakes, carrying passengers, the building of which shall be completed after the twenty-eighth day of August, eighteen hundred and seventy-one, shall have not less than three water-tight cross-bulk-heads, such bulk-heads to reach to the main-deck in single-decked vessels, otherwise to the deck next below the main-deck; to be made of iron plates, sustained upon suitable frame-work; and to be properly secured to the hull of the vessel. The position of such bulk-heads and the strength of material of which the same shall be constructed shall be determined by the general rules of the board of supervising inspectors.

Water-tight bulk-heads in lake steamers carrying passengers.
R. S., 4490.

Steam-vessels of one hundred tons burden or under, engaged in the coastwise bays and harbors of the United States, may be licensed by the United States local inspectors of steam-vessels to carry passengers or excursions on the ocean or upon the Great Lakes of the North or Northwest, not exceeding fifteen miles from the mouth of such bays or harbors, without being required to have the three water-tight cross-bulkheads provided by section forty-four hundred and ninety of the Revised Statutes for other passenger steamers: *Provided*, That in the judgment

July 9, 1886.
(24 Stat., 129.)
Sec. 3.

^a Act repealing use of, ON LAKES, BAYS, and SOUNDS, approved April 11, 1892. (27 Stat., 16.)

of the local inspector such steamers shall be safe and suitable for such navigation without danger to human life, and that they shall have one water-tight collision bulkhead not less than five feet abaft the stem of said steamer.

Use of instruments for security of life.

R. S., 4491.

No kind of instrument, machine, or equipment, for the better security of life, provided for by this Title shall be used on any steam-vessel which shall not first be approved by the board of supervising inspectors, and also by the Secretary of Commerce and Labor.

Barges carrying passengers.

R. S., 4492.

Every barge carrying passengers, while in tow of any steamer, shall be subject to the provisions of this Title relating to fire-buckets, axes, life-preservers, and yawls, to such extent as shall be prescribed by the board of supervising inspectors; and for any violation of this section the penalty shall be two hundred dollars, recoverable one-half for the use of the informer.

Liability of master and owners for damages to passengers.

R. S., 4493.

" Whenever damage is sustained by any passenger or his baggage, from explosion, fire, collision, or other cause, the master and the owner of such vessel, or either of them, and the vessel shall be liable to each and every person so injured, to the full amount of damage if it happens through any neglect or failure to comply with the provisions of this Title, or through known defects or imperfections of the steaming-apparatus or of the hull; and any person sustaining loss or injury through the carelessness, negligence, or willful misconduct of any master, mate, engineer, or pilot, or his neglect or refusal to obey the laws governing the navigation of such steamers, may sue such master, mate, engineer, or pilot, and recover damages for any such injury caused by any such master, mate, engineer, or pilot.

Two copies of this Title to be kept on each passenger steamer.

R. S., 4494.

Every master or commander of any steam-vessel carrying passengers shall keep on board of such vessel at least two copies of the provisions of this Title, to be furnished to him by the Secretary of Commerce and Labor; and if the master or commander neglects or refuses to do so, or shall unreasonably refuse to exhibit a copy of the same to any passenger who asks for it, he shall be liable to a penalty of twenty dollars.

Name of steamer to be exhibited.

R. S., 4495.

Every steam-vessel of the United States, in addition to having her name painted on her stern, shall have the same conspicuously placed in distinct, plain letters, of not less than six inches in length, on each outer side of the pilot-house, if it has such, and in case the vessel has side wheels, also on the outer side of each wheel-house; and if any such steamboat be found without having her name placed as required, she shall be subject to the same penalty and forfeiture as provided by law in the case of a vessel of the United States found without having her name, and the name of the port to which she belongs, painted on her stern.

Duties of customs officers.

R. S., 4496.

All collectors, or other chief officers of the customs, and all inspectors within the several districts, shall enforce the

provisions of this Title against all steamers arriving and departing.

Every collector, or other chief officer of the customs, or inspector, who negligently or intentionally omits any duty under the preceding section, shall be liable to removal from office, and to a penalty of one hundred dollars for each offense, to be sued for in an action of debt.

Penalty for omission of duty by customs officer.
R. S., 4497.

No license, register, or enrollment shall be granted, nor any other papers be issued, by any collector or other chief officer of the customs, to any vessel propelled in whole or in part by steam, until he shall have satisfactory evidence that all the provisions of this Title have been fully complied with.

Registry, enrollment, etc., denied to vessels not complying with the law.
R. S., 4498.

If any vessel propelled in whole or in part by steam be navigated without complying with the terms of this Title, the owner shall be liable to the United States in a penalty of five hundred dollars for each offense, one-half for the use of the informer, for which sum the vessel so navigated shall be liable, and may be seized and proceeded against by way of libel in any district court of the United States having jurisdiction of the offense.

Penalty for failure to comply.
R. S., 4499.

The penalty for the violation of any provision of this Title, not otherwise specially provided for, shall be a fine of five hundred dollars, recoverable one-half for the use of the informer.

Penalty in cases not provided for.
R. S., 4500.

It shall not be lawful to transport, carry, or convey, ship, deliver on board, or cause to be delivered on board, the substance or article known or designated as nitro-glycerine, or glynnin oil, nitro-leum or blasting oil, or nitrated oil, or powder mixed with any such oil, or fiber saturated with any such article or substance, upon or in any vessel or vehicle used or employed in transporting passengers by land or water between a place in any foreign country and a place within the limits of any State, Territory, or district of the United States, or between a place in one State, Territory, or district of the United States, and a place in any other State, Territory, or district thereof.

Transportation of nitro-glycerine on passenger vessels.
R. S., 4278.

It shall not be lawful to ship, send, or forward any quantity of the substances or articles named in the preceding section, or to transport, convey, or carry the same by a vessel or vehicle of any description, upon land or water, between a place in a foreign country and a place within the United States, or between a place in one State, Territory, or district of the United States, and a place in any other State, Territory, or district thereof, unless the same shall be securely inclosed, deposited, or packed in a metallic vessel surrounded by plaster of paris, or other material that will be nonexplosive when saturated with such oil or substance, and separate from all other substances, and the outside of the package containing the same be marked, printed, or labeled in a conspicuous manner with the words "Nitro-glycerine, dangerous."

Packing and marking nitro-glycerine.
R. S., 4279.

Regulation by States of traffic in nitro-glycerine.
R. S., 4280.

The two preceding sections shall not be so construed as to prevent any State, Territory, district, city, or town within the United States from regulating or from prohibiting the traffic in or transportation of those substances, between persons or places lying or being within their respective territorial limits, or from prohibiting the introduction thereof into such limits, for sale, use, or consumption therein.

Shipping inflammable material.
R. S., 4288.

Any person shipping oil of vitriol, unslaked lime, inflammable matches, or gunpowder, in a vessel taking cargo for divers persons on freight, without delivering, at the time of shipment, a note in writing, expressing the nature and character of such merchandise, to the master, mate, officer, or person in charge of the lading of the vessel, shall be liable to the United States in a penalty of one thousand dollars. But this section shall not apply to any vessel of any description whatsoever used in rivers or inland navigation.

Crimes and negligence of officers and owners of steamboats.
R. S., 5344.

Every captain, engineer, pilot, or other person employed on any steamboat or vessel, by whose misconduct, negligence, or inattention to his duties on such vessel, the life of any person is destroyed, and every owner, inspector, or other public officer, through whose fraud, connivance, misconduct, or violation of law, the life of any person is destroyed, shall be deemed guilty of manslaughter, and, upon conviction thereof before any circuit court of the United States, shall be sentenced to confinement at hard labor for a period of not more than ten years.

Maltreatment of crew by officers.
*R. S., 5347.
Mar. 3, 1897.
(29 Stat., 691.)*

Every master or other officer of an American vessel on the high seas or on any other waters within the admiralty and maritime jurisdiction of the United States, who, without justifiable cause, beats, wounds, or imprisons any of the crew of such vessel or withholds from them suitable food and nourishment, or inflicts upon them any cruel and unusual punishment, shall be punished by a fine of not more than one thousand dollars, or by imprisonment not more than five years, or by both.

Unlawful shipment of explosives.
R. S., 5353.

"Every person who knowingly transports, or delivers or causes to be delivered, nitro-glycerine, nitroleum or blasting-oil, or nitrated oil, or powder mixed with any such oil, or fiber saturated with any such substance or article, on board any vessel or vehicle whatever, employed in conveying passengers by land or water between any place in a foreign country and any place within the United States, or between a place in one State, Territory, or district of the United States and a place in any other State, Territory, or district thereof, shall be punished by a fine of not less than one thousand dollars, nor more than ten thousand dollars; one-half to the use of the informer.

R. S., 5354.

^b When the death of any person is caused by the explosion of any quantity of such articles, or either of them,

^a See sections 4472, 5353-5355, pages 136, 144, 145.

^b See sections 4278-4280, pages 143, 144.

while the same is being placed upon any vessel or vehicle, to be transported in violation of the preceding section, or while the same is being so transported, or while the same is being removed from such vessel or vehicle, every person who knowingly placed or aided, or permitted the placing of such articles upon such vessel or vehicle, to be so transported, is guilty of manslaughter, and shall suffer imprisonment for a period not less than two years.

"Every person who knowingly ships, sends, or forwards any quantity of the articles mentioned in section fifty-three hundred and fifty-three, or who transports the same by any mode of conveyance upon land or water, between any of the places specified in that section, unless such articles be securely inclosed, deposited, or packed in a metallic vessel surrounded by plaster of Paris, or other non explosive material when saturated with such oil, and separated from all other substances, and the outside of the package be marked, printed, or labeled in a conspicuous manner with the words "NITRO-GLYCERINE; DANGEROUS," shall be punished by a fine of not less than one thousand nor more than five thousand dollars; one-half to the use of the informer.

R. S., 5355.

Every inspector of steamboats who, upon any pretense, receives any fee or reward for his services, except what is allowed to him by law, shall forfeit his office, and be otherwise punished by a fine of not more than five hundred dollars, or by imprisonment not more than six months, or by both.

Illegal fees.
R. S., 5482.

[For other crimes on the seas see page 244.]

That on and after July first, eighteen hundred and eighty-six, no fees shall be charged or collected by collectors or other officers of customs, or by inspectors of steam-vessels * * * for the following services to vessels of the United States, to wit: * * * inspecting, examining, and licensing steam-vessels, including inspection-certificate and copies thereof; and licensing of master, engineer, pilot, or mate of a vessel; and all provisions of laws authorizing or requiring the collection of fees for such services are repealed, such repeal to take effect July first, eighteen hundred and eighty-six. * * * And the Secretary of Commerce and Labor shall allow and pay, from any money in the Treasury not otherwise appropriated, said officers such compensation for said services as each would have received prior to the passage of this act; also such compensation to clerks of shipping commissioners, and clerks of steamboat inspectors, and such allowances for fees of United States marshals and witnesses for services under the steamboat-inspection laws, and for expenses of steamboat inspectors provided for by

Certain fees
abolished.
June 19, 1886.
(24 Stat., 79.)

Apr. 4, 1888.
(25 Stat., 80.)

^aSee sections 4472, 4278-4280, pages 136, 143, 144,

June 19, 1886.
(24 Stat., 80.)

section forty-four hundred and sixty-one of the Revised Statutes. * * * *Provided*, That such services have, in the opinion of the Secretary of Commerce and Labor, been necessarily rendered.^a

Irondequoit Bay, New York, a navigable water.

June 25, 1890.
(26 Stat., 180.)

Irondequoit Bay, New York, shall, for the purpose of applying the provisions of title fifty-two of the Revised Statutes, relating to steam-vessels navigating thereon, be declared a navigable water of the United States; and steam-vessels navigated thereon, and carrying passengers, shall be inspected under the provisions of section forty-four hundred and twenty-six of the title referred to, and subject to the penalties provided therein for a failure to comply therewith.

Section forty-one hundred and thirty-one of the Revised Statutes of the United States be amended so as to read as follows:

"Vessels of United States."
May 28, 1896.
(29 Stat., 188.)
Sec. 1.

"SEC. 4131. Vessels registered pursuant to law and no others, except such as shall be duly qualified according to law for carrying on the coasting or fishing trade, shall be deemed vessels of the United States, and entitled to the benefits and privileges appertaining to such vessels; but no such vessel shall enjoy such benefits and privileges longer than it shall continue to be wholly owned by a citizen or citizens of the United States or a corporation created under the laws of any of the States thereof, and be commanded by a citizen of the United States.

"And all the officers of vessels of the United States who shall have charge of a watch, including pilots, shall in all cases be citizens of the United States.

"Officers" defined.

"The word 'officers' shall include the chief engineer and each assistant engineer in charge of a watch on vessels propelled wholly or in part by steam; and after the first day of January, eighteen hundred and ninety-seven, no person shall be qualified to hold a license as a commander or watch officer of a merchant vessel of the United States who is not a native born citizen, or whose naturalization as a citizen shall not have been fully completed."

Licenses.
Sec. 2.

^b All licenses issued to such officers shall be for a term of five years, but the holder of a license may have the same renewed for another five years at any time before its expiration: *Provided, however*, That any officer holding a license, and who is engaged in a service which necessitates his continuous absence from the United States, may make application in writing for one renewal and transmit the same to the board of local inspectors with a statement of the applicant verified before a consul, or other officer of the United States authorized to administer an oath, setting forth the reasons for not appearing in person; and upon receiving the same the board of local

^a See also "Fees," page 239.

^b See section 4450, page 132.

inspectors that originally issued such license shall renew the same for one additional term of such license, and shall notify the applicant of such renewal.

And in all cases where the issue is the suspension or revocation of such licenses, whether before the local boards of inspectors as provided for in section forty-four hundred and fifty of the Revised Statutes, or before the supervising inspector as provided for in section forty-four hundred and fifty-two of the Revised Statutes, the accused shall be allowed to appear by counsel and to testify in his own behalf.

No master, mate, pilot, or engineer of steam vessels licensed under title fifty-two of the Revised Statutes shall be liable to draft in time of war, except for the performance of duties such as required by his license; and, while performing such duties in the service of the United States, every such master, mate, pilot, or engineer shall be entitled to the highest rate of wages paid in the merchant marine of the United States for similar services; and, if killed or wounded while performing such duties under the United States, they, or their heirs, or their legal representatives shall be entitled to all the privileges accorded to soldiers and sailors serving in the Army and Navy, under the pension laws of the United States.

But this shall not be construed to modify or repeal that provision of the Act of June twenty-sixth, eighteen hundred and eighty-four, which reads as follows: "In cases where on a foreign voyage, or on a voyage from an Atlantic to a Pacific port of the United States, any such vessel is for any reason deprived of the services of an officer below the grade of master, his place, or a vacancy caused by the promotion of another officer to such place may be supplied by a person not a citizen of the United States until the first return of such vessel to its home port; and such vessel shall not be liable to any penalty or penal tax for such employment of an alien officer."

On and after June thirtieth, eighteen hundred and ninety-eight, every steamboat of the United States plying upon the Mississippi River or its tributaries shall furnish an appropriate place for the crew, which shall conform to the requirements of this section so far as they shall be applicable thereto by providing sleeping room in the engine room of the steamboats properly protected from the cold, winds, and rains by means of suitable awnings or screens on either side of the guards or sides and forward, reaching from the boiler deck to the lower or main deck, under the direction and approval of the Supervising Inspector-General of Steam Vessels, and shall be properly heated.

Any failure to comply with this section shall subject the owner or owners to a penalty of five hundred dollars.

Steamboats on Mississippi River to be properly equipped.
Mar. 3, 1897.
(29 Stat., 638.)
Sec. 2.

Inspection of
foreign vessels.
Sec. 14.

The Secretary of Commerce and Labor be, and he is hereby, authorized to direct the inspection of any foreign vessel, admitted to American registry, its steam boilers, steam pipes, and appurtenances, and to direct the issue of the usual certificate of inspection, whether said boilers, steam pipes, and appurtenances are or are not constructed pursuant to the laws of the United States, or whether they are or are not constructed of iron stamped pursuant to said laws.

The tests in the inspection of such boilers, steam pipes, and appurtenances shall be the same in all respects as to strength and safety as are required in the inspection of boilers constructed in the United States for marine purposes.

Inspection in
Hawaii.
Apr. 30, 1900.
(31 Stat., 141.)
Sec. 5.

The Constitution, and, except as herein otherwise provided, all the laws of the United States which are not locally inapplicable, shall have the same force and effect within the said Territory as elsewhere in the United States.

Office of Steam-
boat - Inspection
Service.
Appropriation
acts.

[The Office of the Steamboat-Inspection Service is provided with a chief clerk, at a salary of \$2,000 per annum, and other employees. Authority for Supervising Inspector-General is given on page 117.]